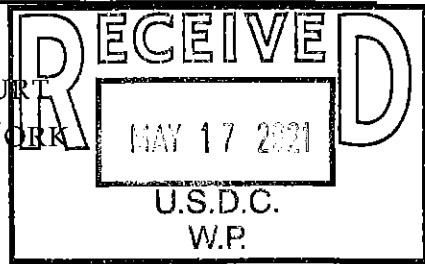


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



Chauncey Girard

No. 20-CV-5883

(To be filled out by Clerk's Office)

Write the full name of each plaintiff.

-against-

**AMENDED
COMPLAINT**
(Prisoner)

Micheal Blot (sgt) Jamie Lamanna (Supt)

Do you want a jury trial?

☒ Yes ☐ No

Chauntel Elmore (sgt) Frank Polito (Co)

Elvis Rios (Co) Edwin UzU (Dr) (Co) Tina Tomas (Jane Doe)

Eric Gutwein (Comm)

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. LEGAL BASIS FOR CLAIM

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: Excessive Force, Deliberate Indifference ,to medical Retailaion,

II. PLAINTIFF INFORMATION

Each plaintiff must provide the following information. Attach additional pages if necessary.

First Name	Middle Initial	Last Name
Chauncey	T	Girard
None		

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

11-A-1352

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Franklin Correctional Facility

Current Place of Detention

62 BareHill Road P. O . Box 10

Institutional Address

Malone, New York 12953

County, City	State	Zip Code

III. PRISONER STATUS

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced prisoner

☐ Other: _____

IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:	Chauntel	Elmore	
	First Name (Sgt)	Last Name	Shield #
	Current Job Title (or other identifying information)		
	Green Haven Correctional Facility		
	Current Work Address		
	Stormville	New York	12582
	County, City	State	Zip Code
Defendant 2:	Frank	Polito	
	First Name (CO)	Last Name	Shield #
	Current Job Title (or other identifying information)		
	Green Haven		
	Current Work Address		
	Stormville	New York	12582
	County, City	State	Zip Code
Defendant 3:	Elvis	Rios	
	First Name (CO)	Last Name	Shield #
	Current Job Title (or other identifying information)		
	Green Haven		
	Current Work Address		
	Stormville	New York	12582
	County, City	State	Zip Code
Defendant 4:	Michael	Blot	
	First Name (Sgt)	Last Name	Shield #
	Current Job Title (or other identifying information)		
	Stormville New York 12582		
	Current Work Address		
	Green Haven Correctional Facility		
	County, City	State	Zip Code

Defendent 5:

Jamie Lamanna

(Superintendent)

Green Haven C.F.

Stormville New York 12582

Defendent 6:

Eric Gutwein

(Comm)

Green Haven C. F.

Stormville New York 12582

Defendent 7:

Edwin Uzu

(Dr)

Green Haven C.F.

Stormville New York 12582

Defendent 8:

Tina Tomas (AKA) The A Man Jane Doe

(Co)

Green Haven

Stormville New York 12582

V. STATEMENT OF CLAIM

Place(s) of occurrence: Green Haven C.F. G- Block 348 Cell and S.H.U.

Date(s) of occurrence: 7-31-2018 and the Dates that follow by affidavit and Medical record.

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful actions. Attach additional pages as necessary.

I would have injuries from a previous Excessive force 12-23-2014 in which I would inquire Injuries (see 300 Pages of medical Records) In which I would request Medical Attention all throughout my time in Green Haven and would be denied my 8th Amendment ,So I grieved this fact (See grievances 89276-18,dneid sick call 88916-18 failure to treat stomach Injury-88420-17Change Provider 88916-18- 88420-17 88241-17 denied Physical Therapy 88319-17 no permit was issued for shoulder88519-17 MRi be canceled all of these greivances would go to C.O.R.C and nothing was done to Help resolve and I would rcive Perminate Damage in left shoulder 9-11-2017 from Doctor Holder (See exhibit Medical) so I would put in a 1983 Case No. 18-CV-2026 and try and resolve this which is my Protected Conduct. on the date of 7-31-2021 I would request emergency sick call and I was inside my Cell when the A would come(Jane Doe)to me and state there coming to get you 15 min later (Co) Polito and (sgt) Elmore came to my cell and said I had to get handcuffed I told them about my shoulder and they were Deliberate Indifferant I told them my medical provider Korbkova would not order one regardless I was hurt and in pain so I decided to go along so indie the cell they placed me in handcuffs regardless of the unbareable pain I was in Iwanted to recive treatment I was taken out of my cell in handcuffs and further thrown on wall and sexually Assaulted by (Co) Polito for 5 mins until I pulled away (See Testimony of harris Pg 21) (Sgt) elmore would watch the whole sexual Assault and failed to do anything to prevent it regardless of the eighth amendment , retaliation from requesting sickCall By emergency services I would still go to the route in handcuffs knowing the pain I just wanted to be treated the deliberate indifference did not stop me suddenly as I was going to the first floor onthe second deck (See transcripts pG 15 (SGT) Elmore

Chauncey Girard
Franklin C.F.
P.O.Box 10
Malone ,New York 12953

Date:

Clerk of the Court
Charles L.Brieant Jr Federal Building and U.S. Courthouse
300 Quarropas Street
White Plains NY 10601

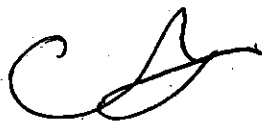
Girard V Gutwein
20 CV 5883

The Plaintiff 's Amended Complaint 3rd

Dear Clerk of the Court:

Good Day to You,

Please be advised that I am respectfully submitting this third
Amended Complaint Per the Judges orders ,would you be so kind
as to accept this third amended Complaint,for Excessive Force
Deliberate Indifference,Failure to Intervene,Conspiracy,Eighth
Amendment ,First Amendment , Violations,Sexual Assault,

x 

Chauncey Girard
11A352

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Chauncey Girard

Write the full name of each plaintiff or petitioner.

Case No. 20 CV 5883

-against-

Micheal Blot (Sgt) Jamie Lamanna (Supt)

NOTICE OF MOTION

Chuantel Elmore (Sgt) Frank Polito (Co)

Elvis Rios (Co) Edwin UZU (Dr) Tna Tomas (Jane Doe)

Write the full name of each defendant or respondent.

PLEASE TAKE NOTICE that

Plaintiff
plaintiff or defendant

Chauncey Girard

name of party who is making the motion

requests that the Court:

Accept this Third Amended Complaint with All exhibits A-H
and I

Briefly describe what you want the court to do. You should also include the Federal Rule(s) of Civil Procedure or the statute under which you are making the motion, if you know.

In support of this motion, I submit the following documents (check all that apply):

☒ a memorandum of law

☐ my own declaration, affirmation, or affidavit

☒ the following additional documents: Girard v. Gutwein et al

20cv5883

5-7-2021

Dated

Chauncey Girard

Signature

11-a-1352

Name

Franklin C.F. 62Bare Hill P.O. box 10 New York 12958

Prison Identification # (if incarcerated)

Address

City

State

Zip Code

Telephone Number (if available)

E-mail Address (if available)

United States District Court
Southern District of New York

Chauncey Girard

Plaintiff,

Case No:
20-CV-5883

__against__

3rd Amended

Complaint

Micheal Blot (Sgt) Jamie Lamana (Supt)
Chuntel Elmore (Sgt) Edwin UZU(Dr)
Eric Gutwein (Comm) (Tina Tomas)(aka)Jane Doe
Frank Polito(Co)
Elvis Rios (Co)

X

Please Take notice that the Plaintiff would amended his Complaint Pursuant to Rule (15) Fed here are the acts as followed: Excessive Force ,Deliberate Indifference, Failure to Intervene, Conspiracy, Eighth Amendment ,First Amendment, Violations and Sexual Assault,

1). The Plaintiff would Have Injuries from a Previous Excessive Force 12-23-2014 which I would inquire injuries(See 300 Pages of Medical Records) In which the Plaintiff would request for Medical Attention all throughout the time he was at Green Haven and would be denied his 8th Amendment right to receive adequate Medical so the Plaintiff Grieved this Fact Plenty of times and would receive no medical attention his Care provider Korobkova at the time when asked about his stomach injuries would plainly state "you have nothing wrong and to Get out" (Thus) Being deliberately Indifferent to the Plaintiffs Injuries(See Declaration by Joshua Louder Dated 3-19-18) and the Medical record of 9-11-2017 of loss of range of Motion was the final Diagnosis by (Dr) Holder Ex C) The fact That The Plaintiff would grieve this Many times and the same results Denied Sick Call 89276-18 failure to treat the stomach injuries /Change Provider 88916-18-at times the provider would cancel appointments 88420-17 and 88241-17 and was even denied Physical Therapy 88319-17 no permit was Issued for shoulder 88519-17 MRI Would be Canceled 90326-18 the plaintiff would even put in for emergency Sick Call and be Denied 89666-18) all of these Grievances would Go to C.O.R.C to try and resolve these Issues and nothing was done except the perminate damage of shoulder (L)eft (See Ex C) so the Plaintiff would put in for a 1983(See Case 18-Cv-2026 to try and resolve

Continue of Amended third Complaint

At that time nothing was done ,inconcerning this the plaintiff the Plaintiff would have a unbarable pain in his chest and his stomach which would stop his breathing On the Date of 7-31-2021 the plaintiff would request the emergency Sick Call services and instead of medical coming to get him the plaintiff was inside of his cell when Tina Tomas(AKA) Jane Doe the A man would come to him and state : " There Comeing to get you" after requesting emergency Sick Call by her 15 minutes later the plaintiff was accompanied by (Co) Polito and (Sgt) Elmore ,the plaintiff tried to explain to the officers that he was in pain and hurt , that he could'nt breath and the officers wantedd to put him in handcuffs"Mechanical restraints" and the plaintiff tried to explain to the officers that he had loss of range of motion in his left shoulder Injry.(See Ex C and Grievance 88519-17) regardless of the fact of the plaintiff was still willing to go just to recive the requested medical services in which at that time he was in his Cell and placed in mechanical restraints and the plaintiff was then placed on the wall outside of his cell at G-Block 348 Loc Location (See Ex-B Joshua Louder's Declaration) in which (Co) Polito pushed the plaintiff on the wall ,Went inside of his pants for self gradification and grabed the plaintiff's Genitals bare with no gloves on ,which was unwarrented and un wanted the plaintiff tried to m-move away in the mechanical restraints the plaintiff felt Violated so he asked the (Sgt) Elmore her name (See Testiony of Harris Transcripts PG-21) in which the plaintiff felt that Sgt Elmore was watching the sexual assault and failed to do anything to prevent it, regardless of the violation from the retaliation of requesting emergency sick Call an indifference from Sgt Elmore 8th Amend violation . The only thing the plaintiff could do is go to the route to recive the requested medical services. During this time while on the second Deck the plaintiff was just about to go to the first (See Transcripts (Sgt) Elmore PG . 15) . (Co) Polito pulled his pin and Punched me in the face willfully and Maliciously without Provocation or a Just cause. I tried to run away and get away from being hit on the second Deck Gallery 5 Company where others could see the"Essesive Force" take place (Co) Elvis Rios would join the assault and battery while I was in

Continue of Amended 3rd Complaint

handcuffs so both officers maliciously ping ponged me back and forth still handcuffed behind the back I would be punched twice by (Co) Rios and defendant (Co) Polito would hit me twice in the face and once in the stomach both times were willfully and maliciously, and unwarranted, unwanted by me, I was getting hit on both sides (See D ex Pictures of me the swelling on both sides from these officers in handcuffs. (Locicero v oconnell 419 F Supp 2d 521 428-29 SDNY 2006) also See (150 Pages of Medical Records Ex E) at the time of the excessive Force Defendant (Sgt) Elmore would not Give a reasonable degree of Force that should have been used and was deliberate indifferent to the necessary Physical force applied to the I was already in the Mechanical Restraints, In which she (Sgt) Elmore watched as the Officers Sprayed me and continued to beat me with evil intent to harm in front of (Sgt) Elmore would do nothing to stop it the 8th amendment Violation while I was still on the floor, (Sgt) Micheal Blot would enter the second Deck and without a Camera and began beating me from 2 Company to the first company in which when I got in front of the hallway of G Block I was ordered by (Sgt) Blot to be dropped in handcuffs behind my back on my face (See Ex D and Ex E the pictures and medical record stitches Pg

) in which at this time my eye would be busted wide open to the two other officers would continue to beat me this was done by (Sgt) Blot with evil intent to hurt me and with deliberate Indifference, I was screaming until I could not scream no more then the beating stoped at that time I was grabed and puled down the hall to where they was taking me I opened up one eye and reconized (Sgt) Blot and he would Personally punch me in my eye and bust open and split my other eye opened, in which I fell into unconscienceness I thought I was going to medical All persons were personally involed (Sgt) Elmore (Sgt) Blot (Co) Elvis and (Co) Polito, at that time I woke up in the shower of the SHU I was with a Concussion, Lacerations, Hemoptysis, Contusions, Blood in Urine all defendants Violated my 8th amendment Deliberat Indiferance, Excessive Force, and retaliation 1st Amendment to my pending 1983 18-CV-2026 Ex-1) also see 150 pages of medical records) also see (transcript pg 35) Fake Charges were put on me to cover up thier involvement and the excessive force. I would never ~~Be taken to Medical~~ the only way I would be able to go to recive medical services was if I stated that

-Continued Amended Complaint-

I was going to kill myself in order to receive medical attention by Downstate C.F. in I was rushed to an outside hospital and came back . When he was Called to the hearing in the S.H.U. on the fake charges I was with stitches (Comm) Eric Gutwein would violate the rights and be Arbitrary and Capricious , no assistance was given I did not receive any of my request for the Audio and video of the the elevator footage Camera 33 or footage of Camera 192 or 191 and I was given the pictures after the hearing was over and all the witnesses had given testimony, I was without my witnesses out of 11 only 4 was called gutwein tried to bribe me and secretly call witnesses behind my back to Conspire against me .Then I was not given any disposition to appeal the and at the time he was Partial hearing make onesided only for the defendant(s) and due to this his bias and unfairness I was given 120 days S.H.U. with a loss of 5 month Goodtime . I have still not resolved my Injuries during my injury's from the excessive force in which I grieve this (See Grievance Ex E) in which the plaintiff the whole time was denied medical by Dr UzU in which a MRI was ordered and he canceled the MRI and see Ex F 90326-18 . At that time he ordered a Catscan in which there was no time to prepare for it was the spare of the moment the doctors gave me everything later it was done the wrong way only to cover up the Excessive force, (Superintendent) Jamie lamanna was given a letter and (Ex-G explaining the excessive force , he also seen the stitches inside of the eyes of me during his daily Go arounds and still would fail to do anything to help me and was deliberate Indifferent to the medical ,and Excessive Force failed to do anything to prevent further Damage by being in S.H.U. Keeping in. All of the Defendant(s) Mentioned all had a Cauaul Connection, and had took adverse Action against me in which I was only doing the right thing 1983 and the Emergency Sickcall by Protected Conduct and had only one motive to hurt me in handcuffs "Actual Injury", on top of already existing injuries and Violate the First and Eighth Amendments, And there is a Pattern of these Sexual Assaults and Excessive forces, Deliberate Indifference with other Prisoners (See Declarations Ex-H From Hanley, Jamie, and Mead . Due to this I would still have the ongoing injuries which needs another Surgery (See Permit Ex-I) of the left shoulder I am unable to do any actives or work regular programs, due to stomach ,Right Eye,Back Injury that gives me trouble walking doing regular daily actives, Sports as well, as Mental health.

Amended Complaint Third

End of statement of Facts

First Amendment Claim

This requirement would be met by the written statement of facts by the plaintiff having a pending 1983 for medical Deliberate Indifference and the Fact of the matter that the plaintiff would request the SickCall Services by Emergency and be placed in handcuffs while inside of his loc Location and knowing that the plaintiff did have loss of range of motion in his left shoulder and the fact that no permit was given to by medical to protect the plaintiff from deliberate Indifference from Officers or the Excessive force that took place "Plaintiff's Physical Retaliation" in which the plaintiff in which a Causal Connection was between the Pending 1983 18-CV-2026 for Deliberate Indifference , and the Adverse Action that was taken against the Plaintiff the handcuffs inside of the cell (see the Transcripts pages 21 of testimony of Harris) :The Officers told him to turn around and Get Handcuffed, then they handcuffed him " I heard him yell -ing they was beating him!" All of these are adverse action . (also see) Testimony of Mc Neil: Page 23 Paragraph 5). :At that time he asked for medical Attention because could'nt breath , and Came and got him the officers they Handcuffed him . "oh I cant breath I can't put my hands behind my back they took him out the next thing you know stop resisting ,He had the handcuffs on so I don't know how he could be resisting, they trow him down the stairs you know physically Beating and thats basically what happened."

(Griffin v Crippen 193 F.3d 89-91-92(2d Cir 1999) also see Blayden v Macusi 186 F3d 252 ,264(2d Cir 1999) Merriweather V Coughin 879 F2d 1037 1048 (2d Cir 1989) Jones v Huff 784 F Supp 535 -36 NDNY 1992.In concerning this Plaintiff"could Not" do anything to provoke he was in Handcuffs.

By Personal knowledge of both testimonies and knowing it would Satisfy the retaliation Prong 1). the plaintiff was doing something he had a Constitutional right to do,to file his Pending 1983 See Ex 1.

3rd Amended Complaint

Eighth Amendment Claim of Excessive force and Deliberate Indifference

Officers Michael Blot, Frank Polito, and Elvis Rios, would be deliberate Indifference committing the excessive force crime in handcuffs in all actuality Plaintiff was requesting Emergency Sick Call, and instead of receiving the emergency Sick Call by his Constitutional Right 8th Amendment to receive right to medical in which the plaintiff was placed in handcuffs inside of his cell and taken out expecting to receive from these officers of the state of New York who personally knew the plaintiff had Injuries due to the Call of Emergency Sick Call in which no medical unit was called and began to Beat the plaintiff in which knew the Mind State of to Hurt in which Injuries were "Not De minimus" in which the plaintiff would not receive help for these injuries at Green Haven, See Medical records of the 150 Pages from the excessive Force Claim first page and second page records marked 7-31-18 and the plaintiff would not be taken to medical instead it states 12:20 SHU Admit intake in which I would request for medical attention for the injury's of :Concussion- A Smart or hard knock blow, or Collision also shock from such blow. 2). Contusions- to beat a bruise caused by external violence and characterized by hemorrhage into and swelling of the of the Superficial or deeper-Lying. 3) Lacerations- Torn Jaggedly, Harrowed, Tortured, having or apex deeply and Irregularly "Cut" or Incised. 4). Hemoptysis- expectoration of blood from some part of the respiratory tract.

Zhao v Cty of NY 656 F.Supp 2d 375 390 (SDNY 2009) also see Poulos V New York SD 2018 WL 375 0508 in which loss of conscienceness and lacerations are severe. And the officers would personally involve themselves while the Plaintiff would request for medical (See Transcripts page 21 of Harris testimony) where he states: they told him to turn around and get handcuff and they took him out and they beat him. in which Mc Neil and his testimony would state the same they took him and handcuffed him and they were beating him. See Colon v Coughlin 58 F.3d 865 873 (2d Cir 1995) the fact that the plaintiff would request Emergency Sick Call and would receive these Injury's and not receive any Medical Attention for them in which it states: 2:25 pm unable to bring the inmate to clinic. Then it states in Down state Inmate arrived from Green Haven with injuries in which down State rushed to outside hospital Putnum. Due to the fact of this Personal Involvement from these Officers and Medical staff and the fact that I would have a pending 1983 18-CV-2026 for the deliberate Indifference to Medical It would Show meet the requirement for Causal

3rd Amended Complaint

Eighth Amendment Continued

Connection, with medical being deliberate Indifferent ,and the Officers being deliberate Indifferent Personally involving themself handcuffing and beating me and the denial of medical attention would show after the injuries of laceration ,concussion ,contusions,and Hemoptysis internal from 1983 .

Adverse Action would be from the beating from these officers that would be so worst that it would make me stop the actions of the Pending 1983

in all reality I was only doing the right thing that is by the "Victory v Pataki" "Protected Conduct" of the Constitution proceeding with my medical

Indifference Claim. I also have alot of mental Issues from the Excessive force PTSD I have 30 and more sessions talking about the excessive force in handcuffs.(See Ex I). of the Excessive Force , and the same

Deliberate indifference is still on going (see Permit I am still unable 4-29-21 to work programs or do daily activities ex- J) also See Grievance of

GH-90072-18 hearing Date 9-10-20 for the excessive force and the sexual assault at the C.O.R.C. ex-K). Exsanguinated remedy's Victory V Pataki 814 F3d 47 ,67(2d Cir 2016).

Failure to Intervene Deliberate Indifference.

Failure to Intervene Deliberate Indifference

(Sgt) Elmores failure to intervene while the Plaintiff was being sexually molested in handcuffs and the fact ,being deliberate indifferent to to sexual act and the amount of force that should have been use to defuse anything in which due to her failure to intervene and her deliberate Indifference , I would recive Lacerations,Concussion , Contusions, Hemoptsis, and worst injuries than what I was already trying to recive medical Attention and she Personally Involved herself, By failing to help the already wounded. Jamie Lamanna (Superintendent) would be deliberate Indifferent to the injury of me , all grivances would to him he knew of the excessive force by letter and the fact of his Go around during S.H.U. I would show him that I had Stitches inside of my eyes from the excessive force(See Affidavit from me in declarations) also see the Declairation of Jamie Boman in which due to his action (Sgt) Blot was able to continue to threaten me to do bodyly harm and state that he was going to kill me. In which Tina Tomas the -A-Man Jane Doe would see the the excessive force taken place and do nothing to help as well In so much to show 1). an official Policy or Custom that 2). Causes the plaintiff to be subjected to a denial of a Constitutional right

Third Amended Complaint Continued

Failure to Intervene and Deliberate Indifference

Wray v City of New York 490 F3d 189 195 (2d Cir 2007) Personal

Involvement in the Constitutional Medical deprivation Grullon v City of New Haven 720 F3d 133, 138 (2d Cir 2013)

3). the defendant was grossly negligent in Supervisor Subordinates who Committed the wrongful acts 4). Defendant exhibited deliberate indifference by failing to act on information indicating that unconstitutional acts were occurring.

Eric Gutwiens Violation of due Process Deliberate Conspiracy

In this not only was he deliberate Indifferent to my due process by giving me a hardship by Not giving me a unbiased hearing or give me a Impartial Hearing , he also tried to secretly Conspire with Frank Polito to give untrue testimony so that , I would not be in the room to confront him in which , I would , when requesting to confront (Co) Polito never denied the sexual assaults never disputed them , never disputed me in handcuffs never , he never took that into the facts , out of 10 witnesses only 4 were Called none of the others signed a refusal form , Gutwein would also notice the injuries that were constantly brought up , then after the hearing he would show me the pictures that was requested after all testimony was over In which he would then after I read the grievance (See GH-90072-18) and also 1983 the Affidavit of Jamie Boman in Which The (Sgt) was allowed to threaten me to Kill me. In which he would Give Me 150 S.H.U in which was a Hardship to me with my outstanding Injuries In Handcuffs with Injuries worst in which still have not been resolved (See Permit) and the Loss of Good time 5 months.

Frank Politos Sexual Assault and (Sgt) Elmore Deliberate Indifference

The Officers knowingly Violated my eighth Amendment By Knowingly me being in handcuffs ,unable to defend myself ,for self Gradification would go inside of my pants and grab my genitals barehanded unwanted, unwarrented , he never disputed the sexual assault during hearing(see Transcripts pg 25) and the fact that I would request the name of (Sgt) Elmore because she was Deliberate indifferent.

Third Amended Complaint Continued

Polito Sexual Assault and (sgt) Elmores Deliberate Indifference

(See Page 21 Harris Testimony) Why are you looking at my breast everyone knows my name. would show that it goes with the Grievance. (see Original Grievance (Stamped By PLS hand written Copy)).

It states I asked her her name after he sexually Assaulted me ,

Wherefore, I would like to respectfully receive the Relief request of 5,000,000,.00 five million Dollars in the Complaint no . of 20-CV-5883 for the Excessive Force, Deliberate Indifference Failure to intervene, Conspiracy, Eighth Amendment , First Amendment Violations, and Sexual assault in handcuffs for the Causal Connection Adverse Action ,for my Protected Conduct of filing 1983 18-CV-2026 Enclosed with all exhibits of Medical records , Greivances and All other Papers to show the Merit of the third Amended Complaint.

Sworn to before me this

7th Day of May, 2021.

Deborah A. Gumbus
Notary Public

Respectfully Submitted,

x

Deborah A. Gumbus
Reg. No. 01GU6304688
Qualified in Franklin County
Commission Expires June 2, 2022

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS


By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>5-7-2021</u>			
Dated		Plaintiff's Signature	
Chauncey	T	Girard	
First Name	Middle Initial	Last Name	
Franklin	Correctional Facility	62 Bare Hill Road P.O. Box 10	
Prison Address			
Malone	New York	12953	
County, City	State	Zip Code	

Date on which I am delivering this complaint to prison authorities for mailing: 5-7-2021

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
)
COUNTY OF FRANKLIN)

ss.:

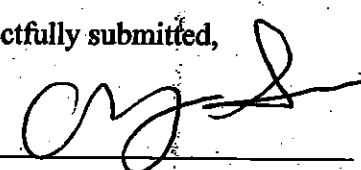
NAME OF DOCUMENT(S):

I, Chamney Gird, being duly sworn, deposes and says:

That I have on this 7th day of May, 2020, placed and submitted the copies of the within document(s) and/or moving papers as indicated above, to be duly mailed via the U.S. Postal Service, through the institutional mailroom here at Franklin Correctional Facility, 62 Bare Hill Road, P.O. Box 10, Malone, New York 12953, in a postage pre-paid first class wrapper to the following parties:

Amended Complaint
Clerk of the Court
Charles L. Brieant Jr.
Federal Building AND U.S.
CourtHouse 300
Quarropas Street
WHITE Plains
New York
10601

Respectfully submitted,

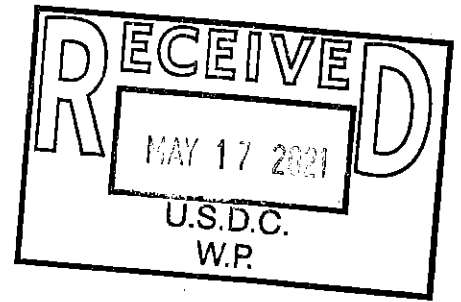

Franklin Correctional Facility
62 Bare Hill Road, P.O. Box 10
Malone, N.Y. 12953

Subscribed and sworn to before me this

7th day of May, 2020.

Deborah A. Gumbus
Notary Public

Deborah A. Gumbus
Reg. No. 01GU6304688
Qualified in Franklin County
Commission Expires June 2, 2022



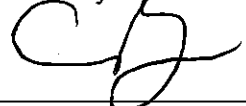
300 Pages of medical records before the Deliberate Indifference and Excessive Force. and the 150 medical records from excessive use of force with Mental Health records

Sworn to before me this

7th Day of May, 2021.

Deborah A. Gumbus
Notary Public

Respectfully Submitted,

x 

Deborah A. Gumbus
Reg. No. 01GU6304688
Qualified in Franklin County
Commission Expires June 2, 2022

9/11/17 8:58:25
HSC4781

NYS DEPARTMENT OF CORRECTIONAL SERVICES

PAGE

1

HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

REFERRING FAC : GRN HAVN GEN

CURRENT FAC: GRN HAVN GEN

REFERRAL DATE : 08/17/17 09:00A TELEMED: N<N>

REFERRAL NUMBER: 17346958.01M

TYPE OF SERVICE: ORTHOPEDICS-OTHER

REFERRAL TYPE : FOLLOW-UP

URGENCY OF CARE: ROUTINE

REFERRAL STATUS: SCHEDULED

INTERPRETER:

MEDICAL HOLD: YES TYPE: 1 REASON CODE: 02 EXP. DATE: 2017-10-30

TRANSPORTATION : N WHEELCHAIR N NURSE N AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: YELENA KOROBKOVA, MD

APPOINTMENT: 09/11/17 09:00A

REVIEWED BY: ROBERT BENTIVEGNA, MD

POS: GREEN HAVEN CF

PROV: HOLDER, JONATHAN-ORT

REASON FOR CONSULTATION:

USER: 08/17/17 09:00A C080YXK

(HAD L SHOULDER SURG 2/2017 PTH DONE C/O PAIN AND NOT BEING ABLE TO GAIN
(FULL ROM

ATTENTION: DO NOT INFORM INMATE OF FUTURE APPOINTMENT(S)

CONSULTANT REPORT:

7 mths SIP (2) SLAP + Ant lateral
Rgn.Sl restriction in (L) Shoulder Ext Rot + elevat
(lacks final 10°).

O:

No instability

A:

Symptoms improved from pre-op status.

Self-exercise instructions given.

P:

CONSULTANT SIGNATURE: HolderDATE: 9.11.17IF FOLLOW-UP/PROCEDURE RECOMMENDED - REQUESTED BY pm* CONSULTATION IS A RECOMMENDATION. FINAL DETERMINATION WILL BE MADE BY THE
INMATE'S NYSDOCS PHYSICIAN.

11/12/19 14:12:23

NYS DEPARTMENT OF CORRECTIONAL SERVICES

PAGE

1

HSC137

HEALTH SERVICES SYSTEM

PRINTED BY: C630WCH

MEDICAL PROBLEM LIST BY TYPE - INCLUDING COMMENTS

PRINTED AT: SOUTHPORT

(ALL PROBLEM TYPES)

SAME AS REPORT HSC138

DIN: 11A1352

NAME: GIRARD, CHAUNCEY

NYSID: 09565426P

DOB: 08/27/1982

OWN FAC: SOUTHPORT

CUR FAC: SOUTHPORT

CUR LOC: 0B-04-020

CURRENT CLASSIFICATIONS - MEDICAL: 3 09/25/2018 OMH: 3 09/13/2019 CELL-ONLY:

ACTIVE/INACTIVE PROBLEMS

MEDICAL CONDITIONS

CODE	PROBLEM	DATE	PR IDENTIFIED	S FACILITY	DIN	C ENTRY
V629	REFUSAL OF CARE	12/04/2015	GRT	HEAD GEN	Y 11A1352	
	(REFUSED TO ALLOW EVALUATION OF CHRONIC ABDOMINAL PAIN AT CALL OUT.)					
0727	HEPATITIS C ANTIBODY NEGATIVE	05/01/2015	GRT	HEAD GEN	11A1352	
9981	SUICIDE ATTEMPT	03/20/2015	CENTRAL	OFF Y	11A1352	
	(UI 241324 STATE SHEET TIED AROUND NECK AND THERMOSTAT BOX ON THE WALL)					
V631	REFUSAL TO EAT/HUNGER STRIKE	03/17/2015	I	CLINTON GEN	Y 11A1352	
	(BEGAN HUNGER STRIKE AT UPSTATE CF. TRANSFERRED TO CLINTON ON 3/20/15)					
	(ATE MEALS OVER WEEKEND, REFUSED MEALS ON 3/23/15. CONTINUE HUNGER)					
	(STRIKE PROTOCOL PER HSPM 1.30)					
9981	SUICIDE ATTEMPT	03/17/2015	CENTRAL	OFF Y	11A1352	
	(UI 241271 WRAPPED STATE SHEET AROUND NECK IN AN ATTEMPT TO HANG)					
	(HIMSELF)					
5308	GASTROESOPHAGEAL REFLUX DZ/GERD	04/03/2011	DWNSTATE	REC Y	11A1352	
	(F/U AT P.F.)					
279-	HIV LABTEST NEGATIVE	04/18/2009	FIVE POINTS		06A3810	
9999	HIV PREVENTION TRAINING	04/18/2009	EASTERN	GEN	11A1352	
7090	TATTOO	10/06/2008	ULSTER	REC	06A3810	
279-	HIV LABTEST NEGATIVE	12/14/2006	I	C VNCNT GEN	06A3810	
071-	HEPATITIS B IMMUNE	07/14/2006	DWNSTATE	REC	06A3810	
0519	CHICKENPOX HISTORY OF	07/10/2006	GOWANDA		06A3810	

*** TYPE TOTAL: 12

SCREENING/ROUTINE HEALTH

CODE	PROBLEM	DATE	PR IDENTIFIED	S FACILITY	DIN	C ENTRY
V767	COLONOSCOPY ROUTINE SCREENING	05/19/2016	GRT	HEAD GEN	11A1352	
V70-	PHYSICAL EXAM ROUTINE	03/16/2016	GRT	HEAD GEN	11A1352	
V70-	PHYSICAL EXAM ROUTINE	10/06/2008	ULSTER	REC	06A3810	
V70-	PHYSICAL EXAM ROUTINE	07/10/2006	I	DWNSTATE REC	06A3810	
V70-	PHYSICAL EXAM ROUTINE	08/09/2001	I	DWNSTATE REC	01A4413	

*** TYPE TOTAL: 5

IMMUNIZATIONS

CODE	PROBLEM	DATE	PR IDENTIFIED	S FACILITY	DIN	C ENTRY
4872	INFLUENZA VACCINE REFUSED	10/11/2017	GRN	HAVN GEN	11A1352	
4872	INFLUENZA VACCINE REFUSED	11/02/2016	I	GRN HAVN GEN	11A1352	
0552	MHR VACCINE/DOSE 2	10/06/2008	ULSTER	REC	06A3810	
1366	TDAP VACCINE	10/06/2008	ULSTER	REC	06A3810	

*** TYPE TOTAL: 4

* MEDICAL PROBLEM LIST REPORT CONTINUES ON NEXT PAGE

* DISTRIBUTION: CONFIDENTIAL - RESTRICTED TO INMATE MEDICAL FOLDER *

11/12/19 14:12:23

NYS DEPARTMENT OF CORRECTIONAL SERVICES

PAGE

2

HSC137

HEALTH SERVICES SYSTEM

PRINTED BY: C630WCH

MEDICAL PROBLEM LIST BY TYPE - INCLUDING COMMENTS

PRINTED AT: SOUTHPORT

(ALL PROBLEM TYPES)

SAME AS REPORT HSC138

DIN: 11A1352 NAME: GIRARD, CHAUNCEY

NYSID: 09565426P

DOB: 08/27/1982

OWN FAC: SOUTHPORT

CUR FAC: SOUTHPORT

CUR LOC: DB-04-020

CURRENT CLASSIFICATIONS - MEDICAL: 3 09/25/2018 OMH: 3 09/13/2019 CELL-ONLY:

ACTIVE/INACTIVE PROBLEMS

TB RELATED PROBLEMS

CODE	PROBLEM	DATE	PR	IDENTIFIED	S	FACILITY	DIN @	C	ENTRY
0017	TB, NEGATIVE QUANTIFERON	05/31/2019				ELMIRA GENER	11A1352		
0017	TB, NEGATIVE QUANTIFERON	05/02/2018				GRN HAVN GEN	11A1352		
0017	TB, NEGATIVE QUANTIFERON	05/04/2017				GRN HAVN GEN	11A1352		
0017	TB, NEGATIVE QUANTIFERON	05/10/2016				GRT MEAD GEN	11A1352		
0017	TB, NEGATIVE QUANTIFERON	05/02/2015				GRT MEAD GEN	11A1352		
0017	TB, NEGATIVE QUANTIFERON	04/03/2014				AUBURN GENER	11A1352		
0010	TB, NEGATIVE PPD	04/17/2013				EASTERN GEN	11A1352		
0010	TB, NEGATIVE PPD	04/30/2012	I			COXSACKIE	11A1352		
0010	TB, NEGATIVE PPD	03/31/2011	I			DWNSTATE REC	Y 11A1352		
	(PPD OMH								
0010	TB, NEGATIVE PPD	10/16/2009	I			DWNSTATE REC	Y 06A3810		
	(PPD NEG								
0010	TB, NEGATIVE PPD	10/04/2008	I			ULSTER REC	Y 06A3810		
	(PPD NEG OMH								
0010	TB, NEGATIVE PPD	07/12/2006	I			DWNSTATE REC	Y 06A3810		
	(PPD OMH								
0010	TB, NEGATIVE PPD	08/13/2001	I			DWNSTATE REC	Y 01A4413		
	(@ OMH								

*** TYPE TOTAL: 13

TOTAL PROBLEMS: 34

* END OF MEDICAL PROBLEM LIST BY TYPE FOR THIS DIN *

* DISTRIBUTION: CONFIDENTIAL - RESTRICTED TO INMATE MEDICAL FOLDER *

11/12/19 14:14:45
HSC4784

NYS DEPARTMENT OF CORRECTIONAL SERVICES

PAGE

1

HEALTH SERVICES SYSTEM

REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16549666.01

REFERRAL DATE : 12/30/16 01:23P TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: PRIMARY CARE

REFERRAL STATUS: SEEN

URGENCY OF CARE: ROUTINE

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: CHRISTINE RAFFAELE, RN

APPOINTMENT: 01/31/17 01:00P

REVIEWED BY: YELENA KOROBKOVA, MD

POS: GREEN HAVEN CF

PROV: YELENA KOROBKOVA, MD

REASON FOR CONSULTATION: N MAIL N FAX
(F/U BSC 12/30/16 SHOULDER PAIN/ BACK PAIN

USER: 12/30/16 01:23P C080BJP

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 01/31/17 02:22P C080BJP

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NYS DEPARTMENT OF CORRECTIONAL SERVICES
HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

PAGE

1

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16523568.01

REFERRAL DATE : 12/12/16 11:51A TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: PRIMARY CARE

REFERRAL STATUS: SEEN

URGENCY OF CARE: SOON

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: YELENA KOROBKOVA, MD

APPOINTMENT: 12/27/16 08:30A

REVIEWED BY: YELENA KOROBKOVA, MD

POS: GREEN HAVEN CF

PROV: YELENA KOROBKOVA, MD

REASON FOR CONSULTATION: N MAIL N FAX

USER: 12/12/16 11:51A C080SRN

(REQUESTING PERMIT FOR LEFT SHOULDER NO LIFTING.

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 12/27/16 12:34P C080BJP

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REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16502998.01

REFERRAL DATE : 11/29/16 09:26A TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: X-RAY - OTHER

REFERRAL STATUS: SEEN

URGENCY OF CARE: ROUTINE

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N

WHEELCHAIR N

NURSE N

AMBULANCE N

LITTER N

HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: YELENA KOROBKOVA, MD

APPOINTMENT: 12/06/16 02:30P

REVIEWED BY: ROBERT BENTIVEGNA, MD

POS: GREEN HAVEN CF

PROV: DEPT OF RADIOLOGY

REASON FOR CONSULTATION:

N MAIL

N FAX

USER: 11/29/16 09:26A C080LMB

(L/S SPINE, RT LOWER RIBS

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 12/13/16 08:36A C080LMB

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REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16464590.01

REFERRAL DATE : 11/01/16 12:07P TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: PRIMARY CARE

REFERRAL STATUS: SEEN

URGENCY OF CARE: SOON

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: CAULETT LURCH, RN

APPOINTMENT: 11/21/16 10:00A

REVIEWED BY: YELENA KOROBKOVA, MD

POS: GREEN HAVEN CF

PROV: ERIC DAVIS, MD

REASON FOR CONSULTATION: N MAIL N FAX

USER: 11/01/16 12:07P C080BJP

(F/U BSC 11/1/16 PERMIT L SHOULDER)

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 11/22/16 09:08A C080BJP

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11/12/19 14:14:49
HSC4784A

NYS DEPARTMENT OF CORRECTIONAL SERVICES
HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

PAGE 1

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16398458.02M

REFERRAL DATE : 10/28/16 01:16P TELEMED: N<N>

REFERRAL TYPE : PROCEDURE

TYPE OF SERVICE: ARTHROSCOPY

REFERRAL STATUS: SEEN

URGENCY OF CARE: ASSIGNED

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: YELENA KOROBKOVA, MD

APPOINTMENT: 02/23/17 07:00A

REVIEWED BY: ROBERT BENTIVEGNA, MD

POS: MOUNT VERNON HOSPITAL

PROV: HOLDER, JONATHAN-ORT

REASON FOR CONSULTATION: N MAIL N FAX USER: 10/31/16 10:22A C080M1A

(IM WITH L SHOULDER PAIN S/P TRAUMA 2014 SEEN AND EVALUATED BY ORTHO)

(10/13/16 NEEDS LT SHOULDER ARTHROSCOPY POST REPAIR ACROMIOPLASTY LOOSE BODY)

(REMOVAL PLS SCHED)

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DECISION: APPROVED 11/03/16

DECISION COMMENTS:

USER: 11/03/16 04:34P OAPSVMS

(APPROVE FOR LEFT SHOULDER ARTHROSCOPY POST REPAIR ACROMIOPLASTY LOOSE BODY)

(REMOVAL PER CP:PROCEDURES ADULT ARTHROSCOPY, SURGICAL SHOULDER 100.)

(VMS/RN/KEPRO)

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP

N PROCEDURE

N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 03/02/17 12:43P C080YXK

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*ADDITIONAL COMMENTS: 01

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC: GRN HAVN GEN

REFERRAL NUMBER: 16398458.02M

REFERRAL DATE: 10/28/16 01:16P TELEMED: N<N>

REFERRAL TYPE : PROCEDURE

DECISION COMMENT 01:

10/29/2016 16:15:34 OAPSMID

CCP DECISION: PENDED 10/29/2016 REASON: OTHER

TELEMED: N

(PLEASE RESUBMIT AS "ART" AND WITH RBD "1/31/17" FOR 3 MONTHS OUT)

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(MID RN/KEPRO)

CCP DECISION CHANGE

USER: 11/03/2016 16:34:51 OAPSVMS

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DEPARTMENT OF CORRECTIONAL SERVICES
HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

REFERRING FAC : GRN HAVN GEN

CURRENT FAC: SOUTHPORT

REFERRAL DATE : 10/11/16 10:42A TELEMED: N<N>

REFERRAL NUMBER: 16429198.01

TYPE OF SERVICE: RECORD REVIEW

REFERRAL TYPE : INITIAL

URGENCY OF CARE: URGENT

REFERRAL STATUS: SEEN

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: HEALTH UNIT CLERICAL STAF

APPOINTMENT: 10/13/16 09:00A

REVIEWED BY: HEALTH UNIT CLERICAL STAF

POS: GREEN HAVEN CF

PROV: HEALTH UNIT CLERICAL STAF

REASON FOR CONSULTATION;

N MAIL N FAX

USER: 10/11/16 10:42A C080AJV

(CHART REVIEW

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 10/13/16 09:08A C080AJV

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11/12/19 14:14:52
HSC4784NYS DEPARTMENT OF CORRECTIONAL SERVICES
HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

PAGE 1

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16417717.01

REFERRAL DATE : 10/03/16 12:41P TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: PRIMARY CARE

REFERRAL STATUS: SEEN

URGENCY OF CARE: SOON

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: ANITA SALHELA, RN

APPOINTMENT: 10/18/16 01:00P

REVIEWED BY: YELENA KOROBKOVA, MD

POS: GREEN HAVEN CF

PROV: YELENA KOROBKOVA, MD

REASON FOR CONSULTATION: N MAIL N FAX

USER: 10/03/16 12:41P C080BJP

(F/U BSC 10/3/16 WANTS MRI RESULTS)

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 10/18/16 02:42P C080BJP

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11/12/19 14:14:52
HSC4784ANYS DEPARTMENT OF CORRECTIONAL SERVICES
HEALTH SERVICES SYSTEM

PAGE 1

REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16398458.01M

REFERRAL DATE : 09/20/16 01:13P TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: ORTHOPEDICS-OTHER

REFERRAL STATUS: SEEN

URGENCY OF CARE: ROUTINE

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: YELENA KOROBKOVA, MD

APPOINTMENT: 10/13/16 09:00A

REVIEWED BY: ROBERT BENTIVEGNA, MD

POS: GREEN HAVEN CF

PROV: HOLDER, JONATHAN-ORT

REASON FOR CONSULTATION: N MAIL N FAX

USER: 09/20/16 01:13P C080YXK

(IM WITH CHRONIC POST TRAUMATIC LEFT SHOULDER PAIN JUST CAME TO OUR PRISON)

(TRAUMA WAS 2014 AS PER HIS CHART STEROID SHOULDER INJ DONE. MRI SHOWS MIL)

(SUBLUXATION OF HUMERAL HEAD, NONDISPLACED PARTIALLY DETACHED TEAR POSTERI)

(GLENOID LABRUM. HISTORY AND PHYSICAL EXAM FINDINGS ARE NOT CONSISTENT W)

(H THESE ABNORMALITIES.PLS SCHED TO SEE ORTHO)

DECISION: APPROVED 09/22/16

DECISION COMMENTS:

USER: 09/22/16 09:18A OAPSVMS

(APPROVE FOR INITIAL ORTHO EVAL OF LEFT SHOULDER FOR MILD SUBLUXATION OF HUM)

(ERAL HEAD AND NONDISPLACED PARTIALLY DETACHED TEAR POSTERIOR GLENOID LABRUM)

(PER CP:SR SHUOLDER REGION DISORDERS 200. VMS/RN/KEPRO)

POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 10/13/16 11:02A C080LMB

(SCHEDULE LT SHOULDER ARTHOSCOPY 2-3 MONTHS)

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*ADDITIONAL COMMENTS: 00

REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRN HAVN GEN

REFERRAL NUMBER: 16383745.01

REFERRAL DATE : 09/12/16 08:15A TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: IN-DRAFT EVALUATION

REFERRAL STATUS: SEEN

URGENCY OF CARE: EMERGENT

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: YELENA KOROBKOVA, MD

APPOINTMENT: 09/20/16 01:00P

REVIEWED BY: YELENA KOROBKOVA, MD

POS: GREEN HAVEN CF

PROV: YELENA KOROBKOVA, MD

REASON FOR CONSULTATION: N MAIL, N FAX

USER: 09/12/16 08:15A C080BJP

(NEW INDRAFT NEEDS PCP EVAL

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 09/21/16 11:12A C080BJP

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NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES
HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRT HEAD GEN

REFERRAL NUMBER: 16347197.01M

REFERRAL DATE : 08/16/16 02:29P TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: ORTHOPEDICS-OTHER

REFERRAL STATUS: *CANCELED*

URGENCY OF CARE: ASSIGNED

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: HOWARD SILVERBERG, MD

REVIEWED BY: HOWARD SILVERBERG, MD

REASON FOR CONSULTATION: N MAIL N FAX USER: 08/16/16 02:29P C040HES
(PER DR. RUBINOVICH IM WITH CHRONIC POST TRAUMATIC LEFT SHOULDER PAIN NEEDS)
(SECOND OPINION WITH A SHOULDER/SPORTS MEDICINE SPECIALIST. MRI SHOWS MILD)
(SUBLUXATION OF HUMERAL HEAD, NONDISPLACED PARTIALLY DETACHED TEAR POSTERIOR)
(GLENOID LABRUM. HISTORY AND PHYSICAL EXAM FINDINGS ARE NOT CONSISTENT WIT)
(H THESE ABNORMALITIES.)

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DECISION: D DENIED 08/23/16

DECISION COMMENTS:

USER: 08/26/16 10:38A CHLTSCM

(FOR RMD REVIEW: REQUESTING SECOND OPINION)

(APPROVED.SCM)

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CANCEL REASON: 99 TRANSFERRED

USER: 10/04/16 01:52P C080LMB

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*ADDITIONAL COMMENTS: 01

REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRT HEAD GEN

REFERRAL NUMBER: 16086356.01M

REFERRAL DATE : 02/26/16 02:08P TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: ORTHOPEDICS-OTHER

REFERRAL STATUS: SEEN

URGENCY OF CARE: ASSIGNED

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: HOWARD SILVERBERG, MD

APPOINTMENT: 04/08/16 09:00A

REVIEWED BY: HOWARD SILVERBERG, MD

POS: COXSACKIE RMU

PROV: RUBINOVICH, MITCHEL

REASON FOR CONSULTATION: N MAIL N FAX USER: 03/04/16 01:03P C040HES
(IM WITH CHRONIC LEFT SHOULDER PAIN, DJD ON X-RAY, BICEPS TENDONITIS BY EXAM)
(. NOT IMPROVING WITH TIME, REST, NSAIDS. COULD NOT TOLERATE PHYSICAL THER)
(APY. PAIN INTERFERES WITH LIFTING, CARRYING, ADL'S, PROGRAMS. REQUESTING)
(EVALUATION FOR POSSIBLE INJECTION.)
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DECISION: APPROVED 03/04/16

DECISION COMMENTS:

USER: 03/04/16 02:19P OAPSDEJ

(APPROVE ORT INITIAL EVAL LEFT SHOULDER SEE PAGE 2 RESPONSE TO PEND)

(DEJRN/KEPRO)

(PER SPECIALTY/SOULDER REGION 600)

POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 04/08/16 05:29P C040MCV

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*ADDITIONAL COMMENTS: 02

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

REFERRING FAC: GRT HEAD GEN

CURRENT FAC: SOUTHPORT

REFERRAL DATE: 02/26/16 02:08P TELEMED: N<N>

REFERRAL NUMBER: 16086356.01M

REFERRAL TYPE : INITIAL

DECISION COMMENT 01:

03/02/2016 14:28:21 OAPSDEJ

CCP DECISION: PENDED 03/02/2016 REASON: FURTHER INFO TELEMED: N

(WHAT IS XRAY/IMAGING RESULT? TENDERNESS OVER TENDON/BICIPITAL GROOVE BY PE?)

(INCREASED PAIN ON RESISTED ELBOW FLEXION? THANK YOU DEJRN/KEPRO)

(PER SPECIALTY/SHOULDER REGION 600)

FACILITY COMMENTS:

USER: 03/04/2016 13:03:53 C040HES

(XRAY SHOWS NO FRACTURE OR DISLOCATION. LEFT GLENOHUMERAL JOINT WITH MILD/M)

(ODERATE NARROWING AND MODERATE FEATURES OF DEGENERATIVE OSTEOARTHRITIS. EX)

(AM SHOWS TENDERNESS OF PROXIMAL BICEPS TENDON, DECREASED ACTIVE AND PASSIVE)

(ROM.)

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DECISION COMMENT 02:

03/02/2016 14:28:21 OAPSDEJ

CCP DECISION: PENDED 03/02/2016 REASON: FURTHER INFO TELEMED: N

(WHAT IS XRAY/IMAGING RESULT? TENDERNESS OVER TENDON/BICIPITAL GROOVE BY PE?)

(INCREASED PAIN ON RESISTED ELBOW FLEXION? THANK YOU DEJRN/KEPRO)

(PER SPECIALTY/SHOULDER REGION 600)

CCP DECISION CHANGE

USER: 03/04/2016 14:19:27 OAPSDEJ

HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRT MEAD GEN

REFERRAL NUMBER: 16029804.01

REFERRAL DATE : 01/21/16 11:23A TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: PHYSN ASST SERVICES

REFERRAL STATUS: SEEN

URGENCY OF CARE: EMERGENT

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: FISHER NESMITH, RPA

APPOINTMENT: 01/21/16 08:00A

REVIEWED BY: FISHER NESMITH, RPA

POS: GREAT MEADOW CF

PROV: FISHER NESMITH, RPA

REASON FOR CONSULTATION: N MAIL N FAX

USER: 01/21/16 11:23A C040FHN

(EXAM

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 01/22/16 08:53A C040FHN

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HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRT HEAD GEN

REFERRAL NUMBER: 16026776.01

REFERRAL DATE : 01/20/16 08:01A TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: PRIMARY CARE

REFERRAL STATUS: *CANCELED*

URGENCY OF CARE: ROUTINE

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: MARY S. HARRIS, RN

REVIEWED BY: HOWARD SILVERBERG, MD

REASON FOR CONSULTATION: N MAIL N FAX

USER: 02/11/16 06:46A C040CTW

(COMPLAINING TO MHU HE IS HAVING BLOODY STOOL SEEN BY PA NEEDS F/U FROM)

(12/4/15)

(LEFT SHOULDER PAIN)

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DECISION: A APPROVED 01/20/16

DECISION COMMENTS:

USER: 01/20/16 08:01A C040MSH

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CANCEL REASON: 01 NOT MED NEC

USER: 03/18/16 02:54P C040HES

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NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES
HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

REFERRING FAC : GRT HEAD GEN

CURRENT FAC: SOUTHPORT

REFERRAL DATE : 01/20/16 07:58A TELEMED: N<N>

REFERRAL NUMBER: 16026751.01

TYPE OF SERVICE: PHYSEN ASST SERVICES

REFERRAL TYPE : INITIAL

URGENCY OF CARE: ROUTINE

REFERRAL STATUS: *CANCELED*

INTERPRETER:

MEDICAL HOLD: NO

TYPE:

REASON CODE:

EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N

AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: MARY S. HARRIS, RN

REVIEWED BY: FISHER NESMITH, RPA

REASON FOR CONSULTATION: N MAIL N FAX

USER: 01/20/16 07:58A C040MSH

(COMPLAINING OF BLOODY STOOL TO MHU)

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DECISION: A APPROVED 01/20/16

DECISION COMMENTS:

USER: 01/20/16 07:58A C040MSH

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CANCEL REASON: 02 INH REFUSAL

USER: 01/21/16 12:49P C040CTW

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HEALTH SERVICES SYSTEM
REQUEST AND REPORT OF CONSULTATION

NAME: GIRARD, CHAUNCEY

DIN: 11A1352 DOB: 08/27/1982

CURRENT FAC: SOUTHPORT

REFERRING FAC : GRT HEAD GEN

REFERRAL NUMBER: 15501487.01

REFERRAL DATE : 11/30/15 09:44A TELEMED: N<N>

REFERRAL TYPE : INITIAL

TYPE OF SERVICE: PRIMARY CARE

REFERRAL STATUS: SEEN

URGENCY OF CARE: SOON

INTERPRETER:

MEDICAL HOLD: NO TYPE: REASON CODE: EXP. DATE:

TRANSPORTATION : N WHEELCHAIR N NURSE N AMBULANCE N LITTER N HCA

SENSORIAL IMPAIRMENT:

REFERRED BY: MARCIA ROCQUE, RN

APPOINTMENT: 12/04/15 08:00A

REVIEWED BY: HOWARD SILVERBERG, MD

POS: GREAT MEADOW CF

PROV: HOWARD SILVERBERG, MD

REASON FOR CONSULTATION: N MAIL N FAX USER: 11/30/15 09:44A C040MGR

(C/O INTERMITTENT PAIN IN RIGHT SIDE OF STOMACH - STATES "UNABLE TO SLEEP)

(ON MY RIGHT SIDE")

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POST-CLINIC:

RECOMMENDED BY SPECIALIST: N FOLLOW-UP N PROCEDURE N NEW REFERRAL

POST-CLINIC COMMENTS:

USER: 12/04/15 09:07A C040HES

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